

BOARD MEMBERS

Dennis Lewis, President
John J. Bernabei, Vice President
Vicky Skaff, Secretary
*James Rucker **
*Jenna Misiti**
Sam Kapourales
David Bowyer
*(*Public Member)*



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STAFF

Michael L. Goff,
Executive Director &
CSMP Administrator

John P. Smolder,
CFO/COO

Ryan L. Hatfield,
General Counsel

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MINUTES OF THE WEST VIRGINIA BOARD OF PHARMACY

April 12, 2021

On Monday, April 12, 2021, the West Virginia Board of Pharmacy (“the Board”) convened at the Board office in Charleston, West Virginia for the Board’s quarterly board meeting. The meeting was open to the public.

Board Members present:

Dennis Lewis, President
John J. Bernabei, Vice President, via telephonic conference
Vicky Skaff, Secretary
David Bowyer
Sam Kapourales
James Rucker
Jenna Misiti

Board Staff present:

Michael Goff, Executive Director and CSMP Administrator
John Smolder, CFO, COO
Ryan Hatfield, General Counsel
Krista Capehart, Director of Professional and Regulatory Affairs
Jane Harrell, Executive Secretary
Thomas Robinette, Investigator
Fred Wagoner, Investigator, via telephonic conference
Dave Lucas, Investigator, via telephonic conference
Patrick Regan, Inspector, via telephonic conference
Thomas Bennett, Inspector, via telephonic conference
Mark Rubin, Inspector, via telephonic conference
Don Klamut, Inspector, via telephonic conference
Steve Boykin, Inspector, via telephonic conference

Public present:

Scott Brown
Chris Miller, CVS
Jordan Carter
John Long
Jeff Santos


President Lewis called the meeting to order and stated that a quorum was present. The agenda for the meeting had previously been posted on the Board's website and made available through the Board's office. The meeting was opened with a prayer.

1. Motion was made by Board Member Vicky Skaff to approve the December 7, 2020 Board Meeting Minutes with one correction to #14. The motion was seconded by Board Member James Rucker and passed unanimously.
2. The Executive Director then gave his report. Director Goff gave an office update, which included that the staff is transitioning back to more time in the office to handle the influx of license and permit applications and to continue work on scanning the paper files. Director Goff also gave a brief review of the 2021 Legislative Session, the MAT Workgroup meeting and the review of miscellaneous licenses by the inspectors. Motion was made by Board Member Dave Bowyer to approve the report. The motion was seconded by Board Member Jenna Misiti and passed unanimously.
3. The Chief Financial Officer next gave his report. Mr. Smolder gave FY2018, 2019 & 2020 Year End Summaries then a FY2021 Year to Date Summary along with FY 2021 YTD comparison. Mr. Smolder then followed with the cash balance and remaining Fiscal Year Budget along with reports that are provided on a quarterly basis. Lastly, Mr. Smolder stated that all the DHHR Grant money was received for the prior grant year. Motion was made by Board Member Sam Kapourales to approve. The motion as seconded by Board Member Vicky Skaff and passed unanimously.
4. The General Counsel then gave his report. Mr. Hatfield stated that the legislative report and complaint committee items would be taken up in their own agenda items; discipline is up to date; the WVBOP is undergoing a routine audit by the legislature; and the confidentiality agreement was complete and ready to be signed by all staff, including Board members, of the WVBOP. Motion was made by Board Member Vicky Skaff to accept the report. The motion was seconded by Board Member James Rucker and passed unanimously.
5. The Director of Professional and Regulatory Affairs then gave her report. Dr. Capehart provided a summary of COVID-19 vaccinations as of April 2021; discussed recent EUA changes for Pfizer for 12-15 year olds updated on the website; summarized and discussed Pharmacist Workload Study, stating that the final version will be presented at the June

2021 meeting; presented the “electronic supervision policy” and significant website updates including naloxone, immunizations, and COVID-19 immunizations. Motion to accept the report was made by Board Member Vicky Skaff. The motion was seconded by Board Member James Rucker and passed unanimously.

6. The Chief Inspector then gave his report. Mr. Robinette reported that 266 inspections had been completed in the last quarter and the inspectors were caught up from the backlog created by the COVID-19 emergency; the Board has received 143 suspicious order reports, representing a significant decrease in the number of reports with none requiring further investigation; discussed the FDA Memorandum of Understanding regarding compounding; discussed facilities with Controlled Substance Permits with no Consulting Pharmacist stating that after discussing with Director Goff, inspectors will be assigned to all facilities having a Controlled Substance Permit and dispensing or administering controlled substances, with the decision being made that facilities would only be granted a Controlled Substance Permit if they actually handled controlled substances; the Logan Mingo Area Mental Health Centers were then discussed with the decision made that remote site dispensing must be discontinued; and WVU Swisslog Boxpicker Automation was next discussed with Mr. Robinette recommending that WVU Hospitals Department of Pharmacy be permitted to continue with 10% checking of automated cabinet and cart refills using Swisslog Boxpicker and to include routine monitoring as part of their overall quality assurance program. Motion was made by Board Member Jenna Misiti to accept the report. The motion was seconded by Board Member Dave Bowyer and passed unanimously.
7. The Controlled Substances Monitoring Program Administrator then gave his report. Director Goff explained that controlled substance doses being dispensed continues to decline, while drug overdoses deaths involving primarily illicit drugs are increasing and are at record numbers. Director Goff also mentioned that there was a vacancy on the CSMP Database Review Committee, and recommended Mr. Jim Samples (Clay County Prosecuting Attorney) as the replacement. Motion to accept the report and to name Mr. Samples to the committee was made by Board Member Vicky Skaff. The motion was seconded by Board Member Dave Bowyer and passed unanimously.
8. Dr. Capehart then presented the following PT Training Programs/License Applications: South Berkeley Pharmacy; CAMC Pharmacy Tech University; and Apex Pharmacy. Motion was made to approve the presented programs by Board Member Vicky Skaff. The motion was seconded by Board Member Sam Kapourales and passed unanimously.
9. A summary of the 2021 Legislative Session was then presented.
10. Representatives from CVS then gave a presentation regarding pharmacy workloads.
11. The next Board meeting will be held at Glade Springs on Sunday June 27, 2021 and Monday, June 28, 2021. The next Complaint Committee meeting will be held Tuesday, June 15, 2021.

12. Motion to go into executive session was made by Board Member Vicky Skaff. The motion was seconded by Board Member Dave Bowyer and passed unanimously.
13. Motion to leave executive session was made by Board Member Sam Kapourales. The motion was seconded by Board President Dennis Lewis and passed unanimously.
14. Probable cause to pursue discipline was found in the following cases: 2020-10-61; 2020-11-63; 2020-11-66; 2020-11-68; and 2020-12-74. Board Member Vicky Skaff recused herself from consideration of the following cases: 2020-10-63; 2020-12-73B; 2021-01-01B; and 2021-01-05. Motion to accept the recommendations of the Complaint Committee finding probable cause in the above listed cases, with an amendment to case number 2020-10-61, was made by Board President Dennis Lewis. The Motion was seconded by Board Member Bowyer and passed unanimously.
15. Motion was made by Board Member Sam Kapourales to give a four percent (4%) across the Board raise to all Board staff. The motion was seconded by Board President Dennis Lewis.
16. Board Member Vicky Skaff motioned to adjourn. The motion was seconded by Board Member Sam Kapourales and passed unanimously.



Dennis Lewis, President
West Virginia Board of Pharmacy



Vicky Skaff, Secretary
West Virginia Board of Pharmacy